



CITY OF FAIRFAX  
Department of Community Development and Planning  
Zoning Division  
10455 Armstrong Street, Room 207A  
Fairfax, VA 22030  
Phone: 703-385-7820 / Fax: 703-385-7824

**MINOR HOME OCCUPATION  
REVIEW PROCEDURES AND APPLICATION**

To The Applicant:

The following procedure is provided to assist you in obtaining the required permit that must be issued PRIOR to conducting business from your home. Please familiarize yourself with these procedures, then complete the attached application and submit it to the City of Fairfax Zoning Division at the above address. The standard review time for a minor home occupation use permit application is 3-5 business days. If you have not submitted an application for a business license with the Commissioner of Revenue (703.385.7880), you will need to do so now.

The required permit will not be issued until steps 1-3 are completed:

- 1) **Application form.** The applicant submits a completed application to the Zoning Division with all information requested on the application filled in. The application form must provide ALL requested information and be signed by the applicant.
- 2) **Zoning Review Fee.** This fee is due at time of application submittal. The zoning review fee is a non-refundable fee. If paying by check, please make payment to City of Fairfax.
- 3) **Review.** Staff will review the application. If the proposed use meets all zoning regulation criteria the application is approved. If further information is required the applicant will be notified of the additional information that remains outstanding within 3-5 business days after application is accepted for review.

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- 4) **Permit Issuance.** After zoning approval, a minor home occupation use permit will be issued and forwarded to the Commissioner of Revenue's office (703.385.7880) and will be mailed with your business license.



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## **MINOR HOME OCCUPATION DEFINITIONS/RESTRICTIONS**

### **CITY CODE REQUIREMENT**

Section 110-4: Minor home occupation means the use of an area located within a dwelling unit for business or commercial purposes by a person for whom the dwelling unit is the primary residence and in which he does actually reside during non-business hours. Minor home occupations are subject to the following restrictions:

#### **(1) All minor home occupations are subject to the following operational standards:**

- a. No person other than a member of the family residing on the premises shall be engaged in the occupation or business on the premises;
- b. There shall be no visible evidence (including signs of any size) of the minor home occupation in the outside appearance of the premises;
- c. The minor home occupation shall generate no greater volume of traffic than would normally be expected from a single-family residence, subject to the additional operational standards for home businesses and student instruction and consistent with the residential character of the neighborhood;
- d. The business or commercial use shall not generate any need for off-street parking spaces;
- e. No equipment shall be used other than that normally used for domestic, hobby, household or small office purposes in a single-family residence;
- f. The street address of a home occupation business shall not be advertised to the general public in newspaper, radio, electronic media including webpages or television advertisements. This provision shall not be construed to prohibit address listing in telephone directories, on business cards, or in communication with customers, suppliers or professional colleagues, nor shall it prohibit referrals
- g. No person shall conduct a home occupation without obtaining the appropriate business, service or occupational license required by law. All home occupations shall comply with applicable state, federal, and local regulations.

#### **(2) Additional operational standards for home businesses involving goods that are offered for sale:**

- a. No stock in trade shall be displayed or offered for public retail sale on the premises; however goods may be stored for sale subject to the additional limitations for minor home occupations;
- b. It shall be understood that sales and delivery of products are primarily away from the residence or by mail. Sales of goods on the premises shall be limited to goods ordered previously by established customers by mail, telephone, Internet or at a sales meeting;
- c. No more than 40 clients or colleagues per week shall be permitted to the property to pick up purchases, attend classes or meet with the business owner with no more than six present at any one time. Visitations to the residence by clients or colleagues shall be limited to the hours of 8:00 a.m. to 9:00 p.m. Such visitations shall be consistent with the residential character of the neighborhood and shall conform to all applicable regulations regarding noise and parking;
- d. No more than 25 percent of the floor area of the principal dwelling unit shall be used to conduct the home occupation and store stock in trade subject to applicable federal, state and local regulations. The storage of hazardous materials shall be prohibited;
- e. The receipt or delivery of merchandise, goods or supplies for use in a home occupation shall be limited to the United States mail, similar parcel delivery service, or private vehicles with a gross vehicle weight rating of 10,000 pounds or less.

#### **(3) Additional operational standards for home businesses involving student instruction:**

- a. Instruction shall be limited to a total of eight students per day, with no more than 40 total per week or six students present at any one time, between the hours of 8:00 a.m. and 9:00 p.m.;
- b. Gatherings of students and families for exhibitions and group activities may take place on the premises no more than four times per year. Such gatherings shall be consistent with the residential character of the neighborhood and shall conform to all applicable regulations regarding noise and parking.

It shall be understood that home telecommuting for an employer located elsewhere, which is allowed by right, is not a minor home occupation. Any of the occupations listed under the definition of the term "major home occupation" may qualify as a minor home occupation provided that the proposed use meets the criteria listed above. The term "minor home occupation" shall not include any funeral home; kennel; veterinarian office; animal hospital; nursery school; minor or major repair, detailing, or painting of engines (small or large), major appliances, vehicles, trailers, or boats; palm reading or fortunetelling; health salon, gym, dance studio, aerobic exercise studio, beauty or hair salon, massage establishment; welding, material or metal fabrication shops or machine shops; gift or antique shop or on-premises retail sales not meeting the criteria in this section; or other similar uses which will likely create an adverse impact on a residential neighborhood.



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## **MINOR HOME OCCUPATION PERMIT APPLICATION**

### **CITY CODE REQUIREMENT**

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**CHECK WITH YOUR HOMEOWNER ASSOCIATION TO ENSURE THAT YOUR MINOR HOME OCCUPATION ACTIVITIES MEET YOUR HOMEOWNER COVENANTS AND GUIDELINES.**

### **APPLICATION FEE**

**\$55.00**

### **BUSINESS DETAILS**

- 1) Name of the Business \_\_\_\_\_
- 2) Street Address of the Business \_\_\_\_\_ Unit Number \_\_\_\_\_
- 3) Business Phone Number \_\_\_\_\_
- 4) What area of the home is used to conduct this business (i.e. bedroom/office) \_\_\_\_\_

### **TYPE OF BUSINESS (PROPOSED USE)**

Describe the business here:

### **APPLICANT INFORMATION**

**NO VEHICLE OR EQUIPMENT STORAGE. NO EMPLOYEES OTHER THAN A MEMBER OF THE FAMILY RESIDING ON THE PREMISES. ONLY 1 COMMERCIAL VEHICLE UNDER 9,000 POUNDS GROSS WEIGHT MAY BE LOCATED ON PREMISES.**

Make / Model of Commercial Vehicle \_\_\_\_\_ License (Tag) # \_\_\_\_\_

I hereby affirm that I have received a copy of the definition of a "Minor Home Occupation" contained in City Code section 110-4. I agree to abide by the limitations, conditions, and the operational standards for a minor home occupation permit as contained therein.

Applicant's Name: Mr./Ms. \_\_\_\_\_  
PRINT NAME

Applicant's Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Applicants Signature (**REQUIRED**) \_\_\_\_\_ Date \_\_\_\_\_

**ADDITIONAL INFORMATION IS REQUIRED. PLEASE SEE REVERSE SIDE OF THIS FORM.**

**PROPERTY OWNER INFORMATION**

Property Owner's Name: Mr./Ms. \_\_\_\_\_  
PRINT PROPERTY OWNER'S NAME

Property Owner/Agent's Phone: \_\_\_\_\_

Property Owner/Agent Signature **(REQUIRED)** \_\_\_\_\_ Date \_\_\_\_\_

**ADDITIONAL SIGNATURE(S) THAT MAY BE REQUIRED PRIOR TO APPROVAL OF THIS APPLICATION**

**Health Department**

A signature from the County of Fairfax Health Department is required on this form if you are preparing food products for sale. You must contact the County Health Department at 703-246-2444 for their signature.

Health Department Approval \_\_\_\_\_ Date \_\_\_\_\_  
Signature

**OFFICE USE ONLY**

Tax Map Number: \_\_\_\_\_ Receipt No: \_\_\_\_\_ Fee Amount Paid \_\_\_\_\_

Zone (Check One): R-1 \_\_\_\_\_ R-2 \_\_\_\_\_ R-3 \_\_\_\_\_ R-M \_\_\_\_\_ R-T \_\_\_\_\_ PD \_\_\_\_\_

**ZONING OFFICE APPROVAL SIGNATURE(S)**

This Application is Approved By \_\_\_\_\_ Date \_\_\_\_\_  
Zoning Official

**ADDITIONAL INFORMATION IS REQUIRED. PLEASE SEE REVERSE SIDE OF THIS FORM.**